

**Federal Defenders  
OF NEW YORK, INC.**

Southern District  
52 Duane Street, 10<sup>th</sup> Floor  
New York, NY 10007

Tel: (212) 417-8700 Fax: (212) 571-0392


Tamara L. Giwa  
*Executive Director*

Jennifer L. Brown  
*Attorney-in-Charge*

June 6, 2025

Application granted.

SO ORDERED.

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

Date: New York, New York  
June 6, 2025

By ECF and Email  
Honorable Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Earl Martin a/k/a Robert Barnes, 20 Cr. 136 (NRB)

Dear Judge Buchwald:

I write, without objection from the Government or Probation, to respectfully request that the Court waive Robert Barnes's presence at the supervised release conference scheduled for next Tuesday, June 10, 2025. Mr. Barnes is currently hospitalized at Bellevue undergoing treatment for liver cancer and has extremely limited mobility, according to providers at the hospital. It would be difficult for him to attend Court in person.

Having conferred with the parties, it is my understanding that the Probation Department intends to move to withdraw the specifications pending against Mr. Barnes at Tuesday's proceeding. The Government—given the facts and circumstances of this specific case, including Mr. Barnes's age, health concerns, and the time he spent in state custody for the same conduct underlying the pending violation—takes no position and defers to Probation's assessment of how best to proceed in this matter, including with respect to the withdrawal of specifications.

Accordingly, we respectfully request that the Court waive Mr. Barnes's presence at the upcoming conference. In the alternative, we request a two- to four-week adjournment of the matter. Thank you for your consideration of this request.

Respectfully submitted,

/s/ Ariel Werner  
Ariel Werner  
Assistant Federal Defender  
212.417.8770

cc: David Robles, Assistant U.S. Attorney